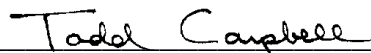


exempt from sales tax charged to items he purchases at the commissary. Nor has the plaintiff shown that he is entitled to purchase items from the commissary at a particular price. Thus, the plaintiff has failed to allege conduct implicating the violation of a constitutional right.

In the absence of a constitutional deprivation, the plaintiff is unable to prove every element of a § 1983 cause of action. The plaintiff, therefore, has failed to state a claim upon which relief can be granted. Under such circumstances, the Court is obliged to dismiss the instant action *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.



Todd Campbell
United States District Judge